

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Art Unit: 1638
)	
RICHAUD, et al.)	Examiner: IBRAHIM, M.
)	
Serial No.: 10/593,265)	Washington, D.C.
)	
Filed: October 7, 2008)	December 29, 2011
)	
For: GENETICALLY MODIFIED)	Docket No.: RICHAUD=1
PLANTS AND THEIR)	
APPLICATIONS IN...)	Confirmation No.: 6451

REQUEST FOR CONTINUED EXAMINATION (RCE)

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop RCE
401 Dulany Street
Alexandria, VA 22314

S i r :

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114 (must check "a" or "b")

a. ☒ Previously submitted

- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on November 28, 2011
(Any unentered amendment(s) referred to above will be entered)

☐ Since the Advisory Action refused to enter the Amendment on the ground that it raised new issues, the next action cannot be made final. See MPEP 706.07(h) (VIII) and 706.07(b).

- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

- iii. ☐ DO NOT consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____.

b. ☐ Enclosed

- i. ☐ Amendment/Reply
ii. ☐ Affidavit(s)/Declaration(s)
iii. ☐ Information Disclosure Statement (IDS)
iv. ☐ Other

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required). If this box is checked, the PTO is specifically authorized, if the suspension fee is not otherwise paid, to charge the suspension fee to Deposit Account 02-4035.

b. ☐ Other

3. Fees

a. small entity status

☐ small entity status was previously asserted on ____.

☐ small entity status is now asserted.

b. Fee Calculation

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e): \$

☐ 465.00 (small entity) ☒ 930.00 (large entity)

(The RCE fee is set at an amount equal to the basic filing fee of a utility application; small entity reduction is available.)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

Small Entity	Non-Small Entity
Response filed within:	Response filed within:
___ first -\$ 75.00	<u>XX</u> first - \$ 150.00
___ second -\$ 280.00	___ second - \$ 560.00
___ third -\$ 635.00	___ third - \$1,270.00
___ fourth -\$ 990.00	___ fourth - \$1,980.00
___ fifth -\$1,345.00	___ fifth - \$2,690.00
month after time period set.	month after time period set.

(less \$ already paid for month(s) extension of time on).

iii. ☐ Fee of \$130 under 1.17(i) for requesting limited suspension.

iv. Additional claims

USSN - 10/593,265

(RCE fee need not include excess claims fee for claims previously paid for)

(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity		
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee		Rate	Additional Fee
Total		Minus		=		x 30	\$		x 60	\$
Indep.		Minus		=		x125	\$		x250	\$
First Presentation of Multiple Dependent Claim						225	\$		+450	\$
TOTAL ADDITIONAL CLAIMS FEE							\$		Total	\$

c. The total fee due is therefore \$1,080.00.

d. PAYMENT BY

i. [XX] Attached is Credit Card Authorization authorizing payment in the amount of \$1,080.00.

ii. [] Charge \$ _____ to Deposit Account No. 02-4035

e. [X] Provisional extension of time if needed. Applicants authorize any charge of additional fees (**except issue and publication fee**) which may be required in connection with this application, for this paper or any later filed paper, to Deposit Account No. 02-4035.

f. [X] The director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: _____

Iver P. Cooper
Reg. No. 28,005

1625 K Street, N.W.
Washington, D.C. 20006
Telephone: (202) 628-5197
Facsimile: (202) 737-3528
IPC:lms G:\BN\O\Ores\Richaud1\Pto\2011-12-29rce.wpd